

Message Text

SECRET

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63

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

ACDA-07 SAJ-01 IO-13 EB-07 FAA-00 DOTE-00 /087 W

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R 151720Z NOV 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 3303

INFO USMISSION USBERLIN

AMEMBASSY MOSCOW

S E C R E T BONN 19339

E.O. 11652: GDS

TAGS: PFOR, GW, UK, US, FR, UR

SUBJECT: PROTEST AGAINST DEVIATION OF AEROFLOT
FLIGHT FROM APPROVED ROUTE

REF: STATE 272293; BONN 18336

1. FURTHER EXAMINATION OF BACKGROUND OF SUBJECT
MATTER HAS REVEALED THAT REFERENCE IN EMBASSY NOTE TO
FRG FOREIGN OFFICE TO EXCHANGE OF NOTES OF MAY 21,
1962 WAS NOT CORRECT. EMB HAS ORALLY CORRECTED ERROR
IN LAST SUBSTANTIVE PARA OF OCT 29 NOTE, POINTING OUT
TO FOREIGN OFFICE THAT INTENDED REFERENCE WAS TO
SECRET ANNEX TO PROTOCOL ON TERMINATION OF OCCUPATION
REGIME SIGNED AT PARIS, OCT 23, 1954, DOCUMENT NO. 5(A)
OF WHICH IS AGSEC/SP (52)9 OF MAY 21, 1952. THIS
DOCUMENT IS LETTER TO MINDIR BLANKENHORN OF FEDERAL
CHANCELLERY REFERRING TO APRIL 4, 1952 MEETING AT
WHICH THREE HIGH COMMISSIONERS AND FEDERAL CHANCELLOR
AGREED ON TEXT OF MINUTE ATTACHED TO THAT DOCUMENT
AND REFERRED TO AS ANNEX "A". ANNEX "A" RECORDS
THAT FEDERAL CHANCELLOR INFORMED HIGH COMMISSIONERS
THAT HIS GOVERNMENT DID NOT INTEND WITHOUT CONSENT
OF THREE POWERS TO AUTHORIZE OR PERMIT FLIGHTS BY
SECRET

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MILITARY AIRCRAFT OF THE SATELLITE COUNTRIES IN FRG

AIRSPACE, AND THAT FEDERAL GOVERNMENT WOULD CONSULT WITH THREE POWERS BEFORE AUTHORIZING SIMILAR FLIGHTS BY CIVIL AIRCRAFT.

2. RE PARA 1 OF STATE REFTL, NOTES REFERRED TO ARE IDENTICAL FIRST PERSON NOTES TO FONMIN SCHEEL DATED NOV 9, 1971 BY AMBASSADORS RUSH, JACKLING AND SAUVAGNARGUES. EACH REFERS TO DISCUSSIONS BETWEEN FEDERAL GOVERNMENT AND US, UK AND FRENCH EMBASSIES ABOUT FRG/USSR AIR SERVICES AGREEMENT INITIALED OCT 5, 1971. EACH CONTINUES THAT ON INSTRUCTION FROM HIS GOVERNMENT HE RECORDS THAT, AS WAS STATED DURING THESE DISCUSSIONS, THE RIGHTS OF THE THREE POWERS UNDER ARTICLE 6 OF CHAPTER 12 OF THE SETTLEMENT CONVENTION IN THE VERSION OF THE PROTOCOL OF OCT 23, 1954 "WILL NOT BE AFFECTED BY THE ENTRY INTO FORCE OF THE ABOVE-MENTIONED AIR SERVICES AGREEMENT." THESE NOTES AND FOREIGN MINISTER SCHEEL'S REPLY OF NOV 10, CONFIRMING THAT THE RIGHTS OF THE THREE POWERS UNDER THE SETTLEMENT CONVENTION REMAIN UNAFFECTED BY THE FRG/USSR CIVIL AIR AGREEMENT, WERE PUBLISHED BY THE FRG FOREIGN OFFICE ON OCTOBER 25, 1972 IN THE 1972 BUNDESGESETZBLATT, PART II, PAGES 1533-37.
STOESSEL

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NNN

Message Attributes

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